THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.17932 of 2006

Dated: 30th August, 2006

Between :-

Smt.Jayamma ..

Petitioner

And

The Election Officer, Kothapalli Gram Panchayat,
Kothapalli (v), Narva (m), Mahaboobnagar Dist.
And 3 others ..
Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.17932 of 2006

ORDER:-

The Writ Petition is filed praying for a Writ of Mandamus declaring the action of the respondent authorities in declaring the 4th respondent as Sarpanch of Kothapalli Gram Panchayat without issuing Form-29 as arbitrary, illegal, violative of Article 14 of the Constitution of India and contrary to the provisions of A.P.Panchayat Raj Act and Rules thereunder and to direct the respondent authorities to declare the elected candidate as Sarpanch o f Kothapalli Gram Panchayat after conducting the recounting of the votes polled to the office of Sarpanch and pass such other suitable orders.

Several factual details had been narrated. As can be seen from the allegations made in paras 4, 5 and 6, the contravention of certain Rules had been specified. It is needless to say that these grounds are available to the petitioner to be raised in an appropriate election petition before the concerned Election Tribunal. Hence, liberty is given to the petitioner to approach the appropriate Election Tribunal, if the petitioner is so advised. The Writ Petition is disposed of accordingly. No order as to costs.

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Justice P.S.Narayana

30th August, 2006

smr